

Northgate Commons/Thornton Creek Channel: Legislative Background

February 1, 2005

1. Northgate Mall Development Agreement placed requirements on the site

- Minimum 150 units housing
- Prohibited land uses that would be incompatible with transit-oriented development
- Requires coordinated site planning with Seattle and King County
- Vested the property to land use codes in effect on date of agreement

2. Resolution 30642 set goals for Lorig project (December 2003)

- Minimum 300 units multifamily housing, affordable to a range of incomes
- Evaluation of three options for drainage project (Thornton Creek Channel (hybrid) approved and funded in August 2004)
- Participation in Coordinated Transportation Investment Plan (CTIP)
- Coordination with areawide pedestrian circulation and open space plans, including 5th Ave NE Streetscape Design
- Consideration of natural drainage strategies
- Consideration of the use of sustainable design and green building techniques
- Northgate Stakeholder Group review of proposed development at conceptual planning stage

3. Memorandum of Understanding between Lorig/Seattle Public Utilities (Council directed in August 2004)

- a. Lorig and Seattle Public Utilities must do further design work and reach a written agreement on the following:
 - i. grade elevations at the boundary lines of their respective parcels;
 - ii. set back requirements for the parcels;
 - iii. location, purpose and number of easements for the parcels;
 - iv. schedule for the timely development of the parcels and the remedies if such development schedule is not satisfied;
 - v. provision, location and number of pedestrian connections between the parcels;
 - vi. location of vehicle access to the parcels;
 - vii. design issues which overlap the parties' developments on the parcels;
 - viii. any enhancements that Lorig is interested in pursuing on City's parcel 2
 - ix. respective responsibilities for landscaping operation and maintenance on Parcel 2 including any agreement by Lorig

to maintain and operate the landscaping on Parcel 2 which is located adjacent to the boundaries between Parcel 2 and Parcels 1 and 3;

- x. Regarding the coordination of construction activities on Parcels 1, 2 and 3 of the Short Plat. Such agreement shall include construction sequencing and staging and the granting of such temporary construction easements over such parcels as may be needed for development of the respective parcels.
- b. The City shall have obtained title to Parcel B (Completed December 2004);
- c. The City shall have funded the Thornton Creek Channel Option (Completed August 2004);
- d. Lorig shall have obtained a valid MUP that is no longer subject to any appeals (or any appeals that have been filed have been resolved to the satisfaction of parties);
- e. and f. Lorig and the City respectively determined that based on a level one environmental review nothing is found to cause construction of their respective projects or otherwise make the projects infeasible; and
- g. Lorig (or its assignee) shall have obtained title to Parcel A.

4. 2005 Budget Proviso regarding 3rd Ave NE Street Extension

Requires that before City funds (\$500,000) for the new 3rd Ave NE extension can be released, there must be a written agreement with Lorig that the Northgate Commons project will proceed and Lorig will dedicate land for the right of way. There is a similar provision for an interlocal agreement with King County.